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Wrexham County Borough Council,
The Guildhall,
Wrexham,
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ebost/email:
northplanning@cyfoethnaturiolcymru.gov.uk

21/04/2021

Dear Ms Rees-Jones,

PROPOSAL: CHANGE OF USE OF STABLE TO MIXED A1 AND A3 (CAFE, SHOP, BAR)

LOCATION: BOWLING BANK FARM, MULSFORD LANE, WORTHENBURY

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales with additional information about the above, which we received on 09/04/2021. This was in response to our requirement for additional information dated 08/03/2021.

We have concerns with the proposed development as submitted. We recommend you should only grant planning permission if you include the following document within the condition identifying approved plans and documents on the decision notice.

Plans/Documents:

- Pearce Environment Ltd. Preliminary Bat Roost Assessment (PRA) Report - Bowling Bank Farm. June 2018

Protected Species

We note that the bat report submitted in support of the above application (Pearce Environment Ltd. Preliminary Bat Roost Assessment (PRA) Report - Bowling Bank Farm. June 2018) has identified that while the application site offers negligible roosting potential for bats, the surrounding area offers good foraging and commuting habitat. From the information submitted, we consider that the proposed development represents a lower risk for bats, as defined in our guidance document 'Natural Resources Wales Approach to Bats and Planning (2015)'. Bats and their breeding and resting places are protected under the Conservation of Habitats and Species Regulations 2017, as amended.

As this is a lower risk case for bats, we consider that the development is not likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Furthermore, we advise that the proposed development is not likely to harm or disturb the bats or their breeding sites and resting places at this site, provided the avoidance measures described in the bat report are implemented.

The report must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Foul Drainage and Protected Sites (Habitats Regulations Assessment)

We note the application site is within the catchment of the River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid Special Area of Conservation (SAC).

The applicant has confirmed that the foul drainage for this proposal will be going to main sewer. On this understanding, our previous requirement is removed.

As you are aware, on the 21st January 2021, we published an evidence package outlining phosphate levels for all river SACs across Wales. As part of this package, we issued a [Planning Position Statement](#), in which we advised that any proposed development that might increase the amount of phosphate within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC. We also issued [Interim Planning Advice](#), which gives specific advice in respect of foul drainage arrangements for new developments.

We note from the information submitted that the development has the potential to increase the volume or concentration of wastewater and associated phosphate levels being discharged from the site. As such, we refer you to our [Interim Planning Advice](#) and confirm that provided this guidance is followed and you are able to conclude that the development is not likely to have a significant effect on the SAC, we have no objection to the proposal. However, should you conclude that the proposed development is likely to have a significant effect on the SAC, please consult us on your Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Please consult us again if any further information shows that this is no longer a lower risk case.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

If you have any queries on the above, please do not hesitate to contact us.

Yours faithfully,

Joy Evans

Cynghorydd - Cynllunio Datblygu / Advisor - Development Planning
Cyfoeth Naturiol Cymru / Natural Resources Wales